

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BROOKE CARDOZA, et al.,
 Plaintiff(s),

vs.

BLOOMIN' BRANDS, INC., et al.,
 Defendant(s).

Case No. 2:13-cv-01820-JAD-NJK
 ORDER

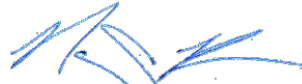
Pending before the Court are the parties' competing proposals for conducting opt-in discovery. Docket Nos. 331, 332. Defendants' proposal appears to be geared toward obtaining discovery both with respect to the FLSA collective action, and the Rule 23 class actions. *See, e.g.*, Docket No. 332 at 5 (asserting that discovery of the opt-in plaintiffs is needed for, *inter alia*, Plaintiffs' motion for class certification under Rule 23). To that end, Defendants' proposal seeks the selection of a certain number of opt-in plaintiffs from states with sub-classes, and that they may depose persons who submit declarations in support of class certification. *See id.* at 11, 12. For their part, Plaintiffs state that their proposal relates "only to the FLSA opt-in plaintiffs and claims, and not to Plaintiffs' Rule 23 class claims, as discovery of such claims does not require sampling." Docket No. 331 at 4.

The Court finds the parties' positions to be insufficiently developed as they relate to discovery related to Rule 23 class issues. The Court therefore ORDERS the parties to conduct a meet-and-confer on these issues no later than August 11, 2015. The parties shall file, no later than August 14, 2015,

1 either a stipulation with a joint position or supplemental briefs of no more than five pages regarding the
2 above issues.

3 IT IS SO ORDERED.

4 DATED: August 5, 2015



6 NANCY J. KORPE
7 United States Magistrate Judge
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